

**PATENT**

(Practitioner's Docket No. IN-5544)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Wolfgang BREMSER

Serial No. 10/018,350

Filed: December 7, 2001

For COLORING AND/OR EFFECT-  
CREATING MULTILAYER ENAMEL  
COATING, METHOD FOR THE  
PRODUCTION THEREOF AND ITS USE

Group Art Unit: Not Assigned

Examiner: Not Assigned

I hereby certify that the following papers are being  
facsimile transmitted to the Patent and Trademark  
Office fax No.: (703) 872-9310 on April 28, 2003.

Marjorie Ellis

**PETITION FOR RECONSIDERATION OF THE NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371**

Box Missing Parts  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants petition for reconsideration of the Notification of Missing Requirements received for the above referenced application. The Notification of Missing Requirements indicates that the oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it: does not identify the application to which it is directed.

After receiving the Notification of Missing Requirements, the Combined Declaration/Power of Attorney was compared with the PCT Published Application to which it pertains, and all information matched up. No error was found.

Submitted herewith are true copies of the Combined Declaration/Power of Attorney, PCT Published Application (cover sheet only), and the Return Receipt Postcard. Also submitted herewith is a copy of the Notification of Missing Requirements.



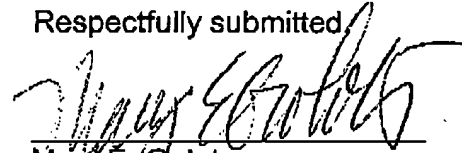
Applicant's Attorney verifies that all copies are true copies of the originals filed with the Receiving Office of the USPTO.

In view of the above stated facts and documentation, Applicants assert the Notification of Missing Requirements was in error. Accordingly, withdrawal of the Notification of Missing Requirements is respectfully requested.

Applicant believes that no fee is required. However, if applicant has inadvertently overlooked the need for a fee the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 23-3425.

This form is submitted in duplicate.

Respectfully submitted

  
Mary E. Golota  
Registration No. 36,814

Date: April 28, 2003

BASF Corporation  
26701 Telegraph Road  
Southfield, MI 48034-2442  
(248)-948-2020



PATENT

(Practitioner's Docket No. IN-5544)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Wolfgang BREMSER

Serial No.: This application is a National  
Phase of Patent Application  
PCT/EP00/00/05825 filed 23. June 2000.

Group Art Unit: Not Assigned

Filed: December 7, 2001

Examiner: Not Assigned

For: COLORING AND/OR EFFECT-CREATING MULTILAYER ENAMEL COATING,  
METHOD FOR THE PRODUCTION THEREOF AND ITS USE

Assistant Commissioner of Patents  
2900 Crystal Drive  
Box PCT  
Arlington, VA 22202-3513

EXPRESS MAIL CERTIFICATE

"Express Mail" label number E332278641US Date of Deposit December 7, 2001

I hereby certify that the following attached paper or fee

☒ Combined Declaration and Power of Attorney ☐ 02 Page(s)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, 2900 Crystal Drive, Box PCT, Arlington, VA 22202-3513

Marjorie Ellis

(Typed or printed name of person mailing paper or fee)

  
Signature of person mailing paper or fee)

Note: Each paper must have its own certificate and the "Express Mail" label number as a part thereof or attached thereto. When, as here, the certification is presented on a separate sheet, that sheet must (1) be signed and (2) fully identify and be securely attached to the paper or fee it accompanies. Identification should include the serial number and filing date of the application as well as the type of paper being filed, e.g.,

complete application, specification and drawings, responses to rejection or refusal, notice of appeal, etc. If the serial number of the application is not known, the identification should include at least the name of the inventor(s) and the title of the invention.

Note: The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing of the drawings be accompanied by a set of informal drawings on which the label number is placed.



Please type a plus sign [+] inside this box →

+

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b> (37 CFR 1.63)		Attorney Docket No.	IN - 5544
		First Named Inventor	Wolfgang BREMSER
<input type="checkbox"/> Declaration Submitted with initial Filing or <input type="checkbox"/> Declaration Submitted after initial Filing (surcharge (37 CFR 1.16 (e)) required		COMPLETE IF KNOWN	
		Application Number	
		Filing Date	December 7, 2001
		Group Art Unit	
		Examiner Name	

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**COLORING AND/OR EFFECT-CREATING MULTILAYER ENAMEL COATING, METHOD FOR THE PRODUCTION THEREOF AND ITS USE**

(Title of the invention)

The specification of which:

☐ is attached hereto

☒ Was filed on 23 June 2000 as United States Application or PCT International Application Number PCT/EP00/05825 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification including the claims as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application

I hereby claim foreign priority benefits under 35 U.S.C § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365 (a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate, or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date DATE/MONTH/YEAR	Priority Not Claimed	Certified Copy Attached?	
199 30 066.6	GERMANY	30 JUNE 1999	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application number are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C 119(e) of any United States provisional application(s) listed below:

APPLICATION NUMBER(S)

FILING DATE


☐ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto



DECLARATION — Utility or Design Patent Application

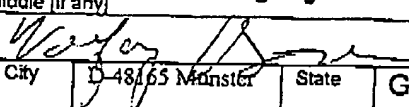
## POWER OF ATTORNEY

☒ I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith application and to transact all business in the Patent and Trademark Office connected therewith

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	 <b>26922</b> <small>PATENT &amp; TRADEMARK OFFICE</small>	or <input type="checkbox"/> Correspondence address below
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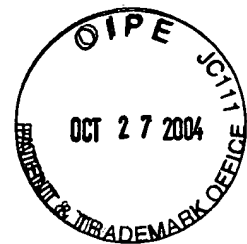
County	United States of America	Telephone	(248) 948-2019	Fax	(248) 948-2093
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Wolfgang		BREMSE	
Inventor's Signature		Date	
		19.11.2004	
Residence: City	D-48165 Münster	State	Germany
Country	Federal Republic of Germany	Citizenship	German
Mailing Address		Am Brook 10	
City	D-48165 Münster	State	Germany
Zip			

[Page 2 of 2]

Declaration for Utility or Design Patent Application (PTO/SB/01) [1-1 1]



(12) NACH DEM VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES  
PATENTWESENS (PCT) VERÖFFENTLICHTE INTERNATIONALE ANMELDUNG

(19) Weltorganisation für geistiges Eigentum  
Internationales Büro



(43) Internationales Veröffentlichungsdatum  
11. Januar 2001 (11.01.2001)

PCT

(10) Internationale Veröffentlichungsnummer  
WO 01/02102 A2

(51) Internationale Patentklassifikation<sup>7</sup>: B05D  
(21) Internationales Aktenzeichen: PCT/EP00/05825  
(22) Internationales Anmeldedatum:  
23. Juni 2000 (23.06.2000)  
(25) Einreichungssprache: Deutsch  
(26) Veröffentlichungssprache: Deutsch  
(30) Angaben zur Priorität:  
199 30 066.6 30. Juni 1999 (30.06.1999) DE  
(71) Anmelder (für alle Bestimmungsstaaten mit Ausnahme  
von US): BASF COATINGS AG [DE/DE]; Glasuritstr. 1,  
D-48165 Münster (DE).

(81) Bestimmungsstaaten (*national*): AE, AG, AL, AM, AT,  
AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ,  
DE, DK, DM, DZ, EE, ES, FI, GB, GD, GE, GH, GM, HR,  
HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR,  
LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ,  
NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM,  
TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.

(84) Bestimmungsstaaten (*regional*): ARIPO-Patent (GH,  
GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZW), eura-  
sisches Patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM),  
europäisches Patent (AT, BE, CH, CY, DE, DK, ES, FI,  
FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI-Patent  
(BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE,  
SN, TD, TG).

Veröffentlicht:

— Ohne internationalen Recherchenbericht und erneut zu  
veröffentlichen nach Erhalt des Berichts.

Zur Erklärung der Zweibuchstaben-Codes, und der anderen  
Abkürzungen wird auf die Erklärungen ("Guidance Notes on  
Codes and Abbreviations") am Anfang jeder regulären Ausgabe  
der PCT-Gazette verwiesen.

(72) Erfinder; und  
(75) Erfinder/Anmelder (nur für US): BREMSER, Wolfgang  
[DE/DE]; Am Brook 10, D-48165 Münster (DE).  
(74) Anwalt: FITZNER, Uwe; Liniorfer Str. 10, D-40878  
Ratingen (DE).

(54) Title: COLORING AND/OR EFFECT-CREATING MULTILAYER ENAMEL COATING, METHOD FOR THE PRODUCTION THEREOF AND ITS USE

(54) Bezeichnung: FARB- UND/ODER EFFEKTEGEBENDE MEHRSCHICHTLACKIERUNG, VERFAHREN ZU IHRER HERSTELLUNG UND IHRE VERWENDUNG

(57) Abstract: The invention relates to a coloring and/or effect-creating multilayer enamel coating ML which is provided for a primed or non-primed substrate and which contains, in an overlapping manner: (1) a filler coat FL which absorbs mechanical energy, and (2) a coloring and/or effect-creating finishing enamel coating DL; or (1) a filler coat FL which absorbs mechanical energy, (2) a coloring and/or effect-creating base enamel coating BL, and (3) a clear enamel coating KL; or (1) a coloring and/or effect-creating base enamel coating BL, and (2) a clear enamel coating KL. At least one coat, preferably at least two coats and especially all coats of the multilayer enamel coating ML is/are made of a coating material that contains at least one constituent (A) which can be produced in an aqueous medium by radically polymerizing: a) olefinically unsaturated monomers and; b) olefinically unsaturated monomers which are different from the olefinically unsaturated monomers cited in a) and which are of formula (I)  $R^1R^2C=CR^3R^4$ , wherein the radicals  $R^1$ ,  $R^2$ ,  $R^3$  and  $R^4$ , independent of one another, represent hydrogen atoms or radicals of alkyl, cycloalkyl, alkylcycloalkyl, cycloalkylalkyl, aryl, alkylaryl, cycloalkylaryl, arylalkyl or arylcycloalkyl, whereby at least two are radicals of aryl, arylalkyl or arylcycloalkyl.

(57) Zusammenfassung: Farb- und/oder effektegebende Mehrschichtlackierung ML für ein grundiertes oder ungrundiertes Substrat, die (1) eine mechanische Energie absorbierende Füllerschicht FL und (2) eine farb- und/oder effektegebende Decklackierung DL oder (1) eine mechanische Energie absorbierende Füllerschicht FL, (2) eine farb- und/oder effektegebende Basislackierung BL und (3) eine Klarlackierung KL oder (1) eine farb- und/oder effektegebende Basislackierung BL und (2) eine Klarlackierung KL übereinanderliegend enthält, wobei mindestens eine Schicht, vorzugsweise mindestens zwei Schichten und insbesondere alle Schichten der Mehrschichtlackierung ML aus einem Beschichtungsstoff hergestellt worden ist oder sind, welcher mindestens einen Bestandteil (A) enthält, der in wässriger Umgebung radikalisch polymerisierbar ist: a) olefinisch ungesättigte Monomere und; b) olefinisch ungesättigte Monomere, die von den in a) zitierten olefinisch ungesättigten Monomeren verschieden sind und die die Formel (I)  $R^1R^2C=CR^3R^4$  aufweisen, wobei die Radikale  $R^1$ ,  $R^2$ ,  $R^3$  und  $R^4$ , unabhängig voneinander, Wasserstoffatome oder Radikale von Alkyl, Cycloalkyl, Alkylcycloalkyl, Cycloalkylalkyl, Aryl, Alkylaryl, Cycloalkylaryl, Arylalkyl oder Arylcycloalkyl darstellen, wobei mindestens zwei Radikale von Aryl, Arylalkyl oder Arylcycloalkyl sind.

/02102 A2

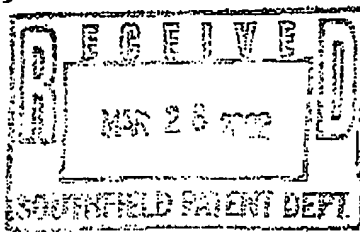


UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/018,350	Wolfgang Bremser	IN-5544
INTERNATIONAL APPLICATION NO.		
PCT/EP00/05825		
LA. FILING DATE	PRIORITY DATE	
06/23/2000	06/30/1999	

26922  
 BASF CORPORATION  
 ANNE GERRY SABOURIN  
 26701 TELEGRAPH ROAD  
 SOUTHFIELD, MI 48034-2442



CONFIRMATION NO. 4876  
 371 FORMALITIES LETTER



OC000000007675324

Date Mailed: 03/20/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

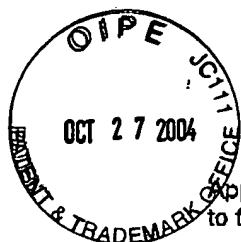
The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Assignee Statement
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the application to which it is directed.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.



Page 2 of 2

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

FREDERICK SMITH

Telephone: (703) 305-3654

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,350	PCT/EP00/05825	IN-5544

FORM PCT/DO/EO/905 (371 Formalities Notice)





**ita: Sheet:**

15

## Validation

(S)(S)(S)(S)

THIS ACKNOWLEDGES:

X	Transmittal Form 1390 under 35 USC §371 in triplicate	X	Patent Application Data Sheet				
X	PCT Published Application cover sheet only	X	Information Disclosure Statement				
X	Recordation Form Cover Sheet in triplicate	X	Preliminary Amendment 37 CFR				
X	PTO-1449 Form & Cited Reference(s)	X	Statement under 37 CFR § 3.73§1.115				
X	Cover Page of the Priority Document	X	Assignment to BASF				
X	Combined Declaration/Power of Attorney	X	International Search Report				
X	PCT/EP00/05825 Application Original German Text	X	PCT/EP00/05825 Application English Translation				
X	Specification on	59	page(s)	X	Specification on	78	page(s)
X	Claims on	09	page(s)	X	Claims on	11	page(s)
X	Abstract on	01	page(s)	X	Abstract on	02	page(s)
	Drawing(s) on		page(s)		Drawing(s) on		page(s)

Application No.:

Bucket No.

**IN-5544**

Filing Date:

December 7, 2001

Inventor(s):

Wolfgang BREMSER

Attorney(s):

Michael F. Morgan

Express Label No.:

ET332278641US

X	Mary E Colota
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ET 332278641 US

10/018350

14-00000  
JG14 Rec'd PGT/PTC 07 DEC 2001

X	-Transm
X	PCT Pu
X	Record
X	PTO-14
X	Cover F
X	Combin
X	PCT/EPC
X	Sp
X	Clk
X	Ab
	Dn

Applicat

Docket: \$

Filing D:

Inventor:

Attorney:

Express

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